

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
10-CV-451(JMR/RLE)

Raphael Mendez	)	
	)	
v.	)	
	)	
FMC Rochester, MN, et al;	)	ORDER
Staff Psychiatrist Dionne	)	
Hart and Social Worker	)	
Pamela Seebach, in their	)	
official and individual	)	
capacities	)	

This matter is before the Court for consideration of the Report and Recommendation issued by the Honorable Raymond L. Erickson, United States Chief Magistrate Judge, on March 15, 2010 [Docket No. 3]. The plaintiff, acting pro se, timely filed objections pursuant to Local Rule 72.2.

Based on a de novo review of the record, the Court adopts the Magistrate's Report and Recommendation.

Accordingly, IT IS ORDERED that:

1. This action is summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

2. Plaintiff's Application to Proceed In Forma Pauperis [Docket No. 2] is denied as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 27, 2010

s/ JAMES M. ROSENBAUM  
JAMES M. ROSENBAUM  
United States District Judge